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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TATIANA MARTINEZ SANTALLA, an
individual,

Plaintiff,

v.

99 CENTS ONLY STORES LLC; KARLA
LNU; DOE PROPERTY OWNER I-V;
ROE PROPERTY OWNER I-V; DOE
JANITORIAL EMPLOYEE I-V; ROE
JANITORIAL COMPANY I-V; ROE
MAINTENANCE COMPANY I-V; ROE
PROPERTY MANAGEMENT COMPANY
IV; DOE MAINTENANCE WORKER I-V;
DOE PROPERTY MANAGER I-V; DOE
EMPLOYEE I-V; ROE EMPLOYER I-V;
and ROE COMPANIES I-V, inclusive,
jointly and severally,

Defendants.

CASE NO.: 2:22-cv-00824-CDS-DJA

STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES

[SECOND REQUEST]

SUBMITTED IN COMPLIANCE WITH
LR26-1(e)

The parties, by and through their counsel, and through their respective counsel, and pursuant to Local Rule 26-3, stipulate to modify their discovery plan as follows:

1. Plaintiff filed her Complaint in the Eighth Judicial District Court for Clark County, Nevada on April 11, 2022.

2. Defendants removed said case to the U.S. District Court for the District of Nevada on May 24, 2022 (ECF No. 1).

1 3. The parties held their FRCP 26(f) conference on June 15, 2022, and in compliance
2 with FRCP 26(f) and LR 26-1(e) filed their initial Stipulated Discovery Plan and Scheduling
3 Order on June 15, 2022 (ECF No. 9).

4 4. On June 17, 2022, the Magistrate Judge established a stipulated discovery plan
5 (ECF No. 10).

6 5. In compliance with Local Rule 26-3, the parties provide the following information
7 regarding the discovery status:

8 a. Discovery Completed, per LR 26-3(a):

- 9 • The parties have exchanged initial disclosures, and supplements, of witnesses and
10 documents, pursuant to Fed.R.Civ.P.26(a) between May 11, 2022 and January 5,
11 2023.
- 12 • Defendant has received signed medical authorizations, and has begun the process
13 of independently obtaining Plaintiff's medical records arising out of the subject
14 incident.
- 15 • Defendant deposed Plaintiff Tatiana Martinez Santillan on September 22, 2022.
- 16 • Plaintiff and Defendant have served and responded to written discovery requests.
- 17 • Witness Lance Kimball has deposed on January 13, 2023.

18 b. Discovery that remains to be completed:

19 Additional time is needed for Plaintiff to take the deposition of the FRCP 30(b)(6)
20 designee for Defendant 99 Cent Stores; disclosure of expert witnesses and depositions of expert
21 witnesses. Additional written discovery to Plaintiff and Defendant as deemed necessary
22 following the remaining depositions. Plaintiff held a 2.34 conference call with Defense Counsel
23 on the topics for FRCP 30(b)(6). At current Plaintiff is awaiting dates of availability for
24 Defendants' witness(es) to notice the deposition of their FRCP 30(b)(6).

25 c. Reasons why discovery was not completed: The parties' current Discovery Plan
26 and Scheduling Order does not allow enough time to conduct further discovery due to the
27 scheduling conflicts that have not allowed for the noticing of Defendant's FRCP 30(b)(6)
28 witness(es). Additionally, Plaintiffs wish to conduct the in-person deposition of the FRCP

30(b)(6) designee for Defendant 99 Cents Store. Additional time for discovery is necessary to avoid prejudice and to facilitate a fair and just investigation of Plaintiff's claims against Defendant. The Parties also intend to extend initial and rebuttal expert disclosures in hopes of reaching a settlement.

d. Proposed schedule for completion of remaining discovery (extension of remaining deadlines by approximately 90 days):

	<u>Old Deadlines</u>	<u>New Deadlines</u>
Amend Pleadings or Add Parties:	12/12/2022	---
Initial Expert Disclosure per FRCP 26(a)(2):	April 12, 2023	June 12, 2023
Rebuttal Expert Disclosure:	May 15, 2023	July 14, 2023
Close of Discovery:	June 12, 2023	August 11, 2023
Submit Dispositive Motions:	July 11, 2023	September 11, 2023
Joint Pre-Trial Order:	August 10, 2023	October 9, 2023

WHEREFORE, the parties respectfully request that this Court extend the discovery period by sixty (60) days from the current deadline as outlined in accordance with the proposed dates above.

DATED this 7th day of April, 2023

GINA CORENA & ASSOCIATES

DATED this 7th day of April, 2023

BRANDON | SMERBER LAW FIRM

/s/ Mahna Pourshaban
Mahna Pourshaban, Esq.
 Nevada Bar No. 12743
 300 S. Fourth Street, Suite 1250
 Las Vegas, Nevada 89101
Attorneys for Plaintiff

/s/ Homero Gonzalez
Homero Gonzalez Esq.
 Nevada Bar No. 15231
 139 E. Warm Springs Road
 Las Vegas, Nevada 89119
Attorney for Defendant 99 Cents Only Stores, LLC

CASE NO.: 2:22-cv-00824-CDS-DJA
STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES
[SECOND REQUEST]

IT IS SO ORDERED:

	<u>Old Deadlines</u>	<u>New Deadlines</u>
Amend Pleadings or Add Parties:	12/12/2022	---
Initial Expert Disclosure per FRCP 26(a)(2):	April 12, 2023	June 12, 2023
Rebuttal Expert Disclosure:	May 15, 2023	July 14, 2023
Close of Discovery:	June 12, 2023	August 11, 2023
Submit Dispositive Motions:	July 11, 2023	September 11, 2023
Joint Pre-Trial Order:	August 10, 2023	October 9, 2023



UNITED STATES MAGISTRATE JUDGE

DATED: April 11, 2023

Eva Rodriguez Dhimi

From: Homero Gonzalez <H.Gonzalez@bsnv.law>
Sent: Monday, April 3, 2023 10:34 AM
To: Eva Rodriguez Dhimi
Cc: Meghan Allen; Jeffrey Orr; Kavita Narh; Mahna Pourshaban
Subject: RE: Tatiana Martinez-Santalla v. 99 Cents

Good morning,

The only change is to the court on the first page. The one reflected is the Clark County District Court. You may affix my e-signature to the SAO to Extend Deadlines.

I am waiting on a response from my client as to the date for the 30(b)(6) depo(s). We will follow up today to see if we could get a response.

Warmest regards,

HOMERO A. GONZALEZ, ESQ.
ASSOCIATE ATTORNEY
BRANDON J SMERBER LAW FIRM
139 EAST WARM SPRINGS ROAD
LAS VEGAS, NEVADA 89119
TEL. (702) 380-0007
FAX. (702) 380-2964

From: Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Sent: Monday, April 3, 2023 10:12 AM
To: Homero Gonzalez <H.Gonzalez@bsnv.law>
Cc: Meghan Allen <M.Allen@bsnv.law>; Jeffrey Orr <j.orr@bsnv.law>; Kavita Narh <k.narh@bsnv.law>; Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: RE: Tatiana Martinez-Santalla v. 99 Cents

Please see the attached SAO for your review.

Also, if you have dates of availability for your FRCP witness(es) then I can amend to add them to the SAO as well.

From: Homero Gonzalez <H.Gonzalez@bsnv.law>
Sent: Thursday, March 30, 2023 3:09 PM
To: Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Cc: Meghan Allen <M.Allen@bsnv.law>; Jeffrey Orr <j.orr@bsnv.law>; Kavita Narh <k.narh@bsnv.law>; Mahna Pourshaban <Mahna@lawofficecorena.com>
Subject: RE: Tatiana Martinez-Santalla v. 99 Cents

Defendant is agreeable to moving dates out by 30 days. We are still coordinating with our client for the 30(b)(6) deposition.

Warmest regards,

HOMERO A. GONZALEZ, ESQ.
ASSOCIATE ATTORNEY

BRANDON | SMERBER LAW FIRM
139 EAST WARM SPRINGS ROAD
LAS VEGAS, NEVADA 89119
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FAX. (702) 380-2964

From: Eva Rodriguez Dhimi <eva@lawofficecorena.com>
Sent: Thursday, March 30, 2023 3:05 PM
To: Kavita Narh <k.narh@bsnv.law>; Mahna Pourshaban <Mahna@lawofficecorena.com>
Cc: Meghan Allen <M.Allen@bsnv.law>; Jeffrey Orr <j.orr@bsnv.law>; Homero Gonzalez <H.Gonzalez@bsnv.law>
Subject: RE: Tatiana Martinez-Santalla v. 99 Cents

Thank you, this has been received.

We have upcoming discovery deadlines; do you expect that we will need to look at pushing dates back 30 days or so to allow for calendaring?

From: Kavita Narh <k.narh@bsnv.law>
Sent: Thursday, March 30, 2023 3:01 PM
To: Eva Rodriguez Dhimi <eva@lawofficecorena.com>; Mahna Pourshaban <Mahna@lawofficecorena.com>
Cc: Meghan Allen <M.Allen@bsnv.law>; Jeffrey Orr <j.orr@bsnv.law>; Homero Gonzalez <H.Gonzalez@bsnv.law>
Subject: Tatiana Martinez-Santalla v. 99 Cents

Dear counsel,

Please see the attached.
Final copy will follow via mail.

Sorry for the delay, but we're still working on our 30(b)(6) witness's availability.

Thank you,

Kavita Narh, Paralegal
Brandon Smerber Law Firm
139 East Warm Springs Road
Las Vegas, Nevada 89119
Direct: (702) 849-0895
Tel: (702) 380-0007
Fax: (702) 380-2964

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